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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 MICHAEL PEMBERTON, *et al.*,
12 Plaintiffs,
13 v.
14 NATIONSTAR MORTGAGE LLC,
15 Defendant.
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Case No. 14-cv-1024-BAS-WVG
**ORDER GRANTING IN PART
AND DENYING IN PART JOINT
MOTION FOR EXTENSION OF
TIME**
[ECF No. 78]


17 The parties have jointly moved to extend the time for Defendant to respond to
18 the Second Amended Complaint (“SAC”) from August 1, 2018 to August 23, 2018.
19 (ECF No. 78.) The parties in *Rovai* have also filed a similar stipulation, which
20 requests an extension of time for the Defendant to respond to the SAC in that case
21 to August 23, 2018. *See Rovai*, No. 14-cv-1738-BAS-WVG, ECF No. 89 (S.D. Cal.
22 July 31, 2018). The parties seek to establish “a briefing schedule . . . that would
23 overlap with any motion to dismiss filed in” *Rovai*.” (ECF No. 78 at 2.) In the event
24 that Defendant moves to dismiss a third time, the parties have also jointly stipulated
25 to a briefing schedule.

26 Having considered the motion, the Court finds that there is good cause insofar
27 as the parties request an extension of time for Defendant to respond to the SAC.
28 Defendant shall respond to the SAC **no later than August 23, 2018.** Given the

1 length of time this case has been pending at the pleading stage, no further extensions
2 will be granted.

3 To the extent the parties intended to request that the Court adopt the briefing
4 schedule identified in the motion as part of this order, the Court does not find there
5 is good cause to do so and **DENIES** the motion to that extent. It is speculative
6 whether Defendant will move to dismiss and the Court will not issue a schedule that
7 may not be necessary. The parties note that “Nationstar is evaluating whether or not
8 to answer or move to dismiss[.]” (ECF No. 78 at 2.) In the event that Defendant
9 does move, the parties are free to advise the Court of a stipulated briefing schedule
10 and request court approval at that point.

11 **IT IS SO ORDERED.**


Hon. Cynthia Bashant
United States District Judge

13 **DATED: August 1, 2018**